

**REMARKS**

The above amendments and these remarks are responsive to the Office Action issued on March 8, 2005. By this response, claims 42-50 and the specification are amended to correct clerical errors. Claims 51-59 are newly added. No new matter is added. Claims 1-59 are now active for examination.

The Office Action dated March 8, 2005 rejected claims 1, 3-6, 8-12, 14, 25-34, 36-42, 49 and 50 under 35 U.S.C. §102(b) as being anticipated by Ooki (U.S. Patent No. 5,822,518). The Office Action rejected claims 1-50 under 35 U.S.C. §103(a) as being unpatentable over Rosenow (U.S. Patent 5,483,596) in view of Imai (U.S. Patent 5,870,467). Claims 2, 13, 15-20 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ooki in view of Dustan (U.S. Patent 5,884,312). The Examiner rejected claims 21-24 and 43-45 under 35 U.S.C. §103(a) as being unpatentable over Ooki and Dustan, and further in view of Sprecher (U.S. Patent 5,285,494). Claims 7 and 46-48 stood rejected under 35 U.S.C. §103(a) as being unpatentable over Ooki in view of Dauerer (U.S. Patent 5,627,967). The Office Action rejected claims 5 and 6 under 35 U.S.C. §112, second paragraph. The specification and claims were objected to for formality reasons.

In view of the amendments and remarks presented herein, Applicants respectfully submit that the rejections are overcome and the objection is addressed.

**The Objections to the Specification and Claims Are Addressed**

The Office Action objected to the specification for lacking a brief description of Figure 11, and to the claims for including incorrect claim number designations. By this Response, the specification is amended to include a brief description of Figure 11, and to provide correct

number of claims. It is believed that the specification and the claims are now in proper form for examiner.

**The Rejection 35 U.S.C. §112, Second Paragraph Are Overcome**

Claims 5 and 6 were rejected under 35 U.S.C. §112, second paragraph for lacking proper antecedent basis. By this Response, claims 5 and 6 are amended to provide proper antecedent basis. Applicant submits that the rejection under 35 U.S.C. §112, second paragraph is now overcome.

**The Anticipation Rejection of 1, 3-6, 8-12, 14, 25-34, 36-42, 49 and 50 Is Overcome**

Claims 1, 3-6, 8-12, 14, 25-34, 36-42, 49 and 50 were rejected as being anticipated by Ooki. The anticipation is respectfully traversed because Ooki cannot support a prima facie case of anticipation.

Claim 1 recites:

A system for limiting access to the functionality of one or more software applications, comprising:  
a first memory configured to store first data related to each of the one or more software applications;  
the first memory further configured to store second data related to each of one or more users of any of the software applications; and  
a rules checker in communication with the software applications and the first memory, said rules checker configured to:  
receive at least one query, said query originating from any particular one of the software applications, and  
forward a message to the particular software application in response to the query;  
wherein said message provides instructions to the particular software application regarding entitlements of one of the users to access a particular function of the particular software application.

Accordingly, an exemplary system of claim 1 selectively allows a user to access a particular function of a specific software application based on information related to the user's entitlements to access the particular function of the software application.

In order to support a prima facie case of anticipation, a single cited document must disclose every limitation of the rejected claim. Ooki, however, does not meet this requirement.

Ooki describes a computer system that allows selected users to access certain restricted user data, by accessing a registration record tabulating privileges of respective users. See col. 3, lns. 13-27 and 44-48 of Ooki. Although the system in Ooki uses a privilege table to identify access privileges of users, the privileges are related to specific restricted data, not to a particular function of a particular software application, as described in claim 1. Since Ooki fails to disclose every limitation of claim 1, Ooki cannot support a prima facie case of anticipation. The anticipation rejection is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Claims 3-6, 8-12, 14, 42, 49 and 50, directly or indirectly, depend on claim 1, and incorporate every limitation thereof. Therefore, for at least the same reasons as for claim 1, claims 3-6, 8-12, 14, 42, 49 and 50 also are patentable over Ooki. Favorable reconsideration of claims 3-6, 8-12, 14, 42, 49 and 50 is respectfully requested.

Independent claims 25 and 41 include descriptions comparable to those of claim 1 with regard to entitlement of the user to access a specific function of a software application. Accordingly, claims 25 and 41 also are patentable over Ooki for at least the same reasons as for claim 1, as well as based on their own merits. Claims 26-34 and 36, directly or indirectly, depend on claim 25 and incorporate every limitation thereof. Consequently, claims 26-34 and 36 also are patentable over Ooki based on their dependencies of claim 25. Favorable reconsideration of claims 25-34, 36 and 41 is respectfully requested.

**The Obviousness Rejection based on Rosenow and Imai Is Overcome**

Claims 1-50 were rejected as being unpatentable over Rosenow (U.S. Patent 5,483,596) in view of Imai et al. (U.S. Patent 5,870,467). The obviousness rejection is respectfully traversed because the Office Action failed to establish a prima facie case of obviousness.

In rejecting claim 1, the examiner contended that the ground for rejection is the same as those stated in Form 409 of a counterpart PCT application (PCT/US01/43116). However, according to Form 409 of the counterpart PCT application, the International Preliminary Examining Authority ruled that the pending claims are **patentable** after considering documents found in a search report issued on March 29, 2002, including Rosenow and Imai. Contrary to the Examiner's assertion, Form 409 does **not** form any ground for rejection of the pending claims.

Rosenow pertains to a system that utilizes encrypted communications when authorizing a user computer to access protected data. Though a privilege level of a user is determined before an authorization is granted, Rosenow does **not** teach or suggest that the privilege check is related to granting access to a particular function of a particular software application, as described in claim 1. The other cited patent, Imai, describes a copyright control system that selectively allows programs to perform read/write on copyrighted materials. According to Imai, a registration table is used to register each program's privilege to access copyrighted materials. See Fig. 23 and col. 23, ln. 54 through col. 24, ln. 29 of Imai. Noticeably, the registration table described in Imai specifies privilege levels associated with a program, not a user, as described in claim 1. Moreover, similar to the deficiency of Rosenow, Imai's system only describes restricting access to copyrighted materials, and does **not** specifically teach accessing a particular function of a specific software application based on information related to the user's entitlements to access the particular function of the software application, as described in claim 1.

Accordingly, Rosenow and Imai, even if combined, still fail to disclose the feature of controlling access to functions of application software, as described in claim 1. Hence, Rosenow and Imai cannot support a prima facie case of obviousness. The Obviousness rejection of claim 1 is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Claims 2-49 either incorporate every limitation of claim 1 based on their dependencies, or include limitations comparable to those of claim 1 regarding entitlements of a user to access a function of a software application. Consequently, claims 2-49 also are patentable over Rosenow and Imai for at least the same reasons as for claim 1, as well as based on their own merits. Favorable reconsideration of claims 2-49 is respectfully requested.

**The Obviousness Rejection based on Ooki and Dustan Is Overcome**

Claims 2, 13, 15-20 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ooki in view of Dustan. The obviousness rejection is respectfully traversed because Ooki and Imai cannot support a prima facie case of obviousness.

Claims 2, 13 and 15-20, directly or indirectly, depend on claim 1 and incorporate every limitation of claim 1. As discussed earlier relative to claim 1, Ooki fails to teach producing an instruction regarding entitlements of a user to access a particular function of a specific software application, the feature of which is incorporated into claims 2, 13 and 15-20 by virtue of their dependencies on claim 1.

Dustan was cited by the Examiner for describing various functions including using a relational database, recording system activities and administering data accessed by users. However, Dustan does not alleviate the deficiency of Ooki for failing to disclose providing instructions to the particular software application regarding entitlements of one of the users to

access a particular function of the particular software application, as described claims 2, 13 and 15-20.

Therefore, Ooki and Dustan, even if combined, do not include every limitation of claims 2, 13 and 15-20. Accordingly, the obviousness rejection of claims 2, 13 and 15-20 is untenable and should be withdrawn. Favorable reconsideration of claims 2, 13 and 15-20 is respectfully requested.

Independent claim 25 includes descriptions related to providing instructions to the particular software application regarding entitlements of one of the users to access a particular function of the particular software application. As discussed earlier, Ooki and Dustan, even if combined, do not include this feature. Accordingly, claim 25 is patentable over Ooki and Dustan. Favorable reconsideration of claim 25 is respectfully requested.

**The Obviousness Rejection based on Ooki, Dustan and Sprecher Is Overcome**

Claims 21-24 and 43-45, directly or indirectly, depend on claim 1, and were rejected as being unpatentable over Ooki and Dustan, and further in view of Sprecher. The obviousness rejection is respectfully overcome because Ooki, Dustan and Sprecher cannot support a prima facie case of obviousness.

As discussed earlier, Ooki and Dustan, even combined, fail to teach providing instructions to the particular software application regarding entitlements of one of the users to access a particular function of the particular software application, as described in claims 21-24 and 43-45 by virtue of their dependencies on claim 1.

Sprecher does not alleviate the deficiencies of Ooki and Dustan. In the Office Action, the Examiner cited various paragraphs of Sprecher for purportedly describing recording data alteration history, performing auditing processes, or providing real-time updates to altered data.

The cited sections of Sprecher, however, do not disclose providing instructions to the particular software application regarding entitlements of one of the users to access a particular function of the particular software application, as described in claims 21-24 and 43-45.

Consequently, Ooki, Dustan and Sprecher, even if combined in the way suggested by the Examiner, fail to meet every limitation of claims 21-24 and 43-45, and hence cannot support a prima facie case of obviousness. Applicants submit that claims 21-24 and 43-45 are patentable over Ooki, Dustan and Sprecher. Favorable reconsideration of claims 21-24 and 43-45 is respectfully requested.

**The Obviousness Rejection based on Ooki and Dauerer Is Overcome**

Claims 7 and 46-48, indirectly depend on claim 1, and were rejected as being unpatentable over Ooki in view of Dauerer. Applicants respectfully traverse the obviousness rejection because Ooki and Dauerer cannot support a prima facie case of obviousness.

By virtue of their dependencies on claim 1, claims 7 and 46-48 describe providing instructions to the particular software application regarding entitlements of one of the users to access a particular function of the particular software application. As discussed earlier relative to claim 1, Ooki does not teach this feature.

The other cited patent, Dauerer, fails to alleviate the deficiency of Ooki. The paragraphs of Dauerer that were cited by the Examiner merely describe possible hierarchical divisions of data resources or files, or purported filtering data based on parameters specified in the registration table. The cited sections in Dauerer, however, do not disclose providing instructions to the particular software application regarding entitlements of one of the users to access a particular function of the particular software application, as described in claims 7 and 46-48. Therefore, Ooki and Dauerer, even if combined, do not meet every limitation of claims 7 and 46-

48. Accordingly, claims 7 and 46-48 are patentable over Ooki and Dauerer. Favorable reconsideration of claims 7 and 46-48 is respectfully requested.

**New Claims 51-59 Are Patentable**

By this Response, claims 51-59 are newly presented. New claims 51-59, directly or indirectly, depend on claim 1, and further describe additional features like access to application functions without signing on a specific operating system, entitlements of an organization; hierarchical structure of access levels; authorized action of data fields; dynamic configurations; and role-based authorizations. Appropriate support of the new claims can be found in, for example, page 4, first paragraph, page 6, second paragraph, page 9, last paragraph, page 13, third paragraph, page 16, last paragraph through page 17, first paragraph, and page 20, second paragraph. Applicants believe that the documents of record, singularly or in combination, do not disclose the additional features described in claims 51-59.

As discussed above, claim 1 is patentable over patents of record. Accordingly, claims 51-59 also are patentable for at least the same reasons as for claim 1, as well as based on their own merits. Favorable consideration of claims 51-59 is respectfully requested.

For the reasons given above, Applicants believe that this application is in condition for allowance, and Applicants request that the Examiner give the application favorable reconsideration and permit it to issue as a patent. However, if the Examiner believes that the application can be put in even better condition for allowance, the Examiner is invited to contact Applicants' representative listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,



• **Application No.: 09/988,009**

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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